

**MEMO ENDORSED**

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DECEMBER 18, 2017

The Honorable Valerie E. Caproni  
United States District Court for the Southern District of New York

Re: Velez v. O'Brien, et al., No. 15 Civ. 7441 (VEC)

Dear Judge Caproni:

Application GRANTED.

SO ORDERED.



HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE

12/21/2017

I represent Plaintiff Jose Velez in the above-captioned Section 1983 litigation which, as the Court knows, resulted in a Defense verdict. On December 7, 2017, Defendants filed a related notice of taxation of costs with a December 21, 2017 return date. Docket No. 82. I write with Defendants' consent to ask that the Court extend Mr. Velez's date to make any objection through and including January 12, 2018. The reason I ask for the extension through January 12, 2018, is as follows.

Last week on Monday, in an effort to timely meet the return date for objections, I sent an attorney-client-call request to Marcy Correctional Facility where Mr. Velez is completing his sentence to discuss the matter with him. When I phoned Marcy officials to follow up on the call on Wednesday or Thursday last week, I learned that Mr. Velez, who was only recently released from trial-related federal BOP custody, is only now en route to Marcy from trial-related federal custody with brief layover at DOCCS premises along the way. As a practical matter, this means that while I may be able to learn where Mr. Velez may be on a given day, scheduling an attorney-client call at a facility prior to his arrival at Marcy is difficult. (Such calls typically take DOCCS a number of days to approve such that Mr. Velez may have moved locations by the time I successfully schedule one at a DOCCS facility other than Marcy, his final destination.)

As a result, the January 12, 2018 return date will permit me to communicate with Mr. Velez regarding the costs issue as soon as he arrives at Marcy. It will also safely allow me sufficient time to obtain any financial or other documents I might need from Mr. Velez through the US mail in support of whatever position he takes.

In the event that Mr. Velez does not file an objection to costs as noticed, or if the Parties reach some agreement relating thereto, I will notify the Court even sooner than January 12, 2018 as time allows.

Thank you in advance for your consideration.